THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

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WRIT PETITION No.12567 OF 2005

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Date:25.07.2005

Between:

Rongali Abaddam, S/o. Yerrayya. ..Petitioner

And

1. The Revenue Divisional Officer,

Vizianagarm and another. ..Respondents.

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THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION No.12567 OF 2005

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for the respondents and with their consent, the matter is taken up for final disposal at the stage of admission.

The proceedings of the first respondent-Revenue Divisional Officer dated 03.06.2005 is impugned in this Writ Petition.

Pursuant to a Report submitted by the Mandal Revenue Officer, a show-cause notice was issued to the petitioner herein calling for his explanation within seven days. The petitioner submitted his explanation, pursuant to which remarks were

called for from the Mandal Revenue Officer. The Mandal Revenue Officer, vide proceedings dated 03.06.2005, informed the Revenue Divisional Officer that the petitioner had neither distributed rice to Annapurna Card Holders (Smt.Murapudi Sanyasamma, who expired) nor had reported the same to higher authorities, that the petitioner had failed to lift essential commodities before the 10th during the period November 2004 to February 2005, that the petitioner had not personally distributed commodities to card holders, that he had entrusted the entire work to Sri Ch.Rama Krishna of the same village, that some of the card holders had informed that the petitioner was not even known to them and that the petitioner was distributing essential commodities only for two days in a month.

The first respondent vide proceedings dated 03.06.2005, while asking the Mandal Revenue Officer to make in-charge arrangements to lift essential commodities to card holders of Kalagada Village, suspended the authorization of the petitioner temporarily.

Suspension can be pending enquiry or as a measure of punishment. In the case of the latter, the period for which punishment is to be imposed has necessarily to be specified in the order itself. A person cannot be imposed the punishment of being placed under suspension for an indefinite period. The period for which the petitioner was sought to be placed under suspension, as a measure of punishment, has not been specified in the order. The impugned Order dated 03.06.2005 is therefore quashed.

The Writ Petition is allowed. No order as to costs.

It is however made clear that the authorities are not precluded from passing orders afresh, in accordance with law.

(RAMESH RANGANATHAN, J)

Dt: 25.07.2005

NOTE: Furnish Copy in three days

(b.o)

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